

Regular Council Meeting

January 9, 2025

FRESNO CITY COUNCIL



Supplement Packet

ITEM(S)

2-A (ID 24-9)

Approval of the minutes for December 5, 2024, Regular Meeting, December 12, 2024, Regular Meeting and December 13, 2024, Special Meeting

Contents of Supplement: Draft Minutes December 12, 2024, Regular Meeting

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

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City of Fresno

2600 Fresno Street
Fresno, CA 93721
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Meeting Minutes City Council

President - Annalisa Perea

Vice President - Mike Karbassi

Councilmembers:

Miguel Angel Arias, Tyler Maxwell, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

Thursday, December 12, 2024

9:00 AM

Council Chambers

Regular Meeting

The City Council met in regular session in the Council Chamber, City Hall, on the date and time above written.

9:15 A.M. ROLL CALL

Present: 7 - Council President Annalisa Perea
Vice President Mike Karbassi
Councilmember Miguel Angel Arias
Councilmember Tyler Maxwell
Councilmember Luis Chavez
Councilmember Garry Bredefeld
Councilmember Nelson Esparza

Invocation by Deacon Gabriel Gil of The Roman Catholic Diocese of Fresno

Deacon Gabriel Gil gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Bredefeld led the Pledge of Allegiance.

APPROVE AGENDA

CITY CLERK STERMER ANNOUNCED THE FOLLOWING CHANGES TO THE AGENDA:

2-D (ID 24-1665) declaring a vacancy in the office of Councilmember for

District 5 - the second “whereas” statement lists 2025 as the expiration year for the current D5 term of office. The year should be updated to reflect “2027” as the year the current term expires.

Also for 2-D (ID 24-1665), the following sentence will be added to the resolution immediately following numbered paragraph 5: “Pursuant to Fresno Municipal Code section 2-1005, the requirement to file in-lieu-filing-fee petitions fifteen days prior to the close of nomination period shall be reduced to three days prior to the close of nomination period for this special election only.”

THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA:

5-C (ID 24-1679) Conference with legal counsel-existing litigation government code section 54956.9, subdivision (d)(1) City of Fresno v. County of Fresno; Fresno Superior Court Case No.: 24CECG01199 – removed from the agenda with no return date by the City Attorney.

THE FOLLOWING CONSENT CALENDAR ITEMS WERE MOVED TO THE CONTESTED CONSENT CALENDAR FOR FURTHER DISCUSSION:

2-O (ID 24-1557) regarding a Service Agreement with RH Community Builders to manage a Transitional Aged Youth (TAY) Rapid Rehousing program – moved to contested consent by Councilmember Arias.

2-R (ID 24-1658) regarding an interagency agreement between the city of Fresno and the department of planning and development in an amount not to exceed \$3,261,614 in State and Local Fiscal Recover Funds (SLFRF) part of the American Rescue Plan Act (ARPA). – moved to contested consent by Councilmember Arias.

2-BB (ID 24-1649) regarding updating water conservation measures and the City’s Water Shortage Contingency Plan (Citywide) – moved to contested consent by Councilmember Arias.

2-DD (ID 24-1651) regarding a three-year consultant services agreement with Southwest Strategies Group for stakeholder engagement and public

education support services for the Department of Public Utilities – moved to contested consent by Councilmember Arias.

2-PP (ID 24-1693) amending Rules 2 and 3 of the Council Rules of Procedure Relating to Elections and Duties of the Council President and Vice President – moved to contested consent by Councilmembers Arias, and Vice President Karbassi.

On motion of Councilmember Chavez, seconded by Councilmember Arias, the Agenda was APPROVED AS AMENDED. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

CEREMONIAL PRESENTATIONS

[ID 24-1631](#) Proclamation for 75th Anniversary of Big Red Church

PRESENTED

[ID 24-1472](#) Proclamation “Honoring Diana Gomez”

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Arias Reports and Comments. Requested an update from Public Works on the status of tree planting in downtown. Announced the annual downtown Christmas parade. Discussed the downtown ice rink and a December 18, District 3 toy giveaway.

Councilmember Esparza Reports and Comments. Discussed the unveiling of a mural at Romain Park. Clarified his recusal for the South Central Specific Plan during the previous Council meeting had been made out of an abundance of caution while research was performed. The research concluded there was no actual conflict and recusal will not be necessary in the future.

Council President Perea Reports and Comments. Discussed a successful Tamale drive that distributed more than 3,000 tamales to District 1 families with partners from Casa de Tamales, Guadalajara, and La Promesa from the

Mobile Food Vendors Association. Announced the 85th birthday of the Tower Theater.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer Reports and Comments. Discussed the unveiling of a mural at Romain Park which resulted from funding received from the State of California. Announced plans for seven additional murals as well as median island work and tree planting in the Romain Park area due to a \$5 million dollar grant. Announced the groundbreaking for the McKinly and Highway 99 grade separation. Discussed the ribbon cutting for Avalon Commons, a first of its kind, affordable housing project. Discussed the success of the trolley which transported 356 people during the walk-night at Christmas Tree Lane.

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:10 A.M. Joint Meeting of the City Council, The City in Its Capacity as Housing Successor to the Redevelopment Agency of the City of Fresno and The Fresno Revitalization Corporation

[ID 24-1645](#) Approve First Amendment to the First Amended and Restated Disposition and Development Agreement between the City of Fresno in its capacity as Housing Successor to the Redevelopment Agency of the City of Fresno and Self-Help Enterprises regarding the affordable single family home development at the Southwest corner of Florence and Walnut and the Northwest corner of Florence and Plumas Avenues.

The above item was called to order at 9:50 A.M. and was presented to Council by Redevelopment Administrator Murphey. Upon call, no members of the public addressed Council. Public comment closed at 9:52 A.M.

Council discussion included an explanation of the changes to the agreement.

APPROVED

FRC VOTE: On motion of Member Arias, seconded by Member Bredefeld, the above FRC action item was adopted. The motion PASSED by the

following vote:

Aye: 7 - Perea, Arias, Maxwell, Chavez, Bredefeld, Esparza, Dyer

Absent: 1 - Karbassi

On motion of Councilmember Maxwell, seconded by Councilmember Esparza, that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 6 - Perea, Arias, Maxwell, Chavez, Bredefeld and Esparza

Absent: 1 - Karbassi

9:15 A.M.

[ID 24-1626](#) Hearing to consider Plan Amendment Application No. P24-04066, filed by the Planning and Development Director, to amend the text of Chapter 11 of the Fresno General Plan by replacing the current Fresno Housing Element (2015-2023) with an updated Fresno Multi-Jurisdictional Housing Element (Fresno Housing Element, 2023-2031). The Housing Element is a State-mandated plan for meeting the City's housing needs, including housing affordable to low- and moderate-income households and special needs populations. The Fresno Housing Element is applicable within the Fresno city limits and would apply to all lands annexed into the City of Fresno.

1. FINDING that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines pursuant to the commonsense exemption set forth in Section 15061(b)(3) because it can be seen with certainty that adoption of the Fresno Housing Element (2023-2031) has no possibility of causing a significant effect on the environment.

2. RESOLUTION - adopting Plan Amendment Application No. P24-04066, amending the text of Chapter 11 of the Fresno General Plan to replace the 2015-2023 Fresno Housing Element with the Fresno Housing Element (2023-2031) including all Text, Policies, Maps, Tables, and Exhibits contained in the Fresno Housing Element, and authorizing the Planning and Development Director to file all necessary material with the Department of Housing and Community Development (HCD) for HCD to find that the Housing Element is in conformance with

State Housing Element Law, and to make all non-substantive changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments requested by the HCD to achieve certification.

The above item was called to order at 9:56 A.M. and was presented to Council by Planning Manager Pagoulatos and Chelsey Payne, Director of Urban Planning, Ascent . Upon call, the following members of the public addressed Council: Raul Picket, Sylvia Calaveras, Rudy, Dez Martinez, Brandi N. Dacari Cleveland, and Greg Tzakis. Public comment closed at 11:08 A.M.

Council discussion included: acknowledgment of compliance issues with the Department of Housing and Community Development; housing requirements and Regional Housing Needs Allocation obligations; Resource allocation disparities, and the city's higher responsibility for housing due to urban infrastructure; incorporating state and community input, and bringing Fresno back into compliance; impacts of external ownership on rental markets; rent control as a potential solution; utilizing the Housing Element as a blueprint rather than a guarantee for building units, dependent on private sector and market conditions; Housing Element details, scope, and timeline extending to 2031; the importance of collaborative regional planning; and clarification that the process establishes an eight-year cycle for housing.

RESOLUTION 2024-301 ADOPTED

On motion of Councilmember Arias, seconded by Vice President Karbassi, that the above Action Item be ADOPTED. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

9:20 A.M. #1

[ID 24-1600](#) Actions pertaining to the acquisition of fee title interest of a parcel to benefit the Blackstone McKinley BNSF Grade Separation Project: (Council Districts 1 and 7)

1. HEARING to consider a Resolution of Necessity for acquisition of fee title interest for rights of way for public street

purposes of Assessor's Parcel Numbers 451-071-25 and 451-071-38, owned by Rocking Rail, LLC, a California limited liability company, for the construction of the Blackstone McKinley BNSF Grade Separation Project;

2. ***RESOLUTION - Determining that public interest and necessity require acquisition of fee interest for rights of way for public street purposes of Assessor's Parcels Numbers 451-071-25 and 451-071-38, owned by Rocking Rail, LLC, a California limited liability company, for the construction of the Blackstone McKinley BNSF Grade Separation Project and authorizing eminent domain proceedings for public use and purpose. (Requires 5 affirmative votes) (Subject to Mayor's Veto)

The above item was called to order at 11:08 A.M. and was presented to Council by Supervising Real Estate Agent Bruno and Capital Projects Engineer Maravilla. Upon call, no members of the public addressed Council. Public comment closed at 11:18 A.M.

Council discussion included: who owned the property; what exists on the land; and if business relocation was part of the process.

Upon learning the identity of the property owner, Councilmember Bredefeld announced he had received a campaign contribution and recused himself from the item. He exited the Council Chamber and was absent for the remainder of the discussion and vote.

RESOLUTION 2024-302 ADOPTED

On motion of Councilmember Esparza, seconded by Councilmember Arias, that the above Action Item be ADOPTED. The motion carried by the following vote:

Aye: 6 - Perea, Karbassi, Arias, Maxwell, Chavez and Esparza

Recused: 1 - Bredefeld

9:20 A.M. #2 (HEARING REMOVED FROM AGENDA. WILL BE RESCHEDULED AND RE-NOTICED.)

[ID 24-1653](#) HEARING to consider Conditional Use Permit Application No. P21-06064, (Council District 1) - Planning & Development.

1. DENY the appeal and UPHOLD the action of the Planning Commission to deny Conditional Use Permit Application No. P21-06064 requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (Off-Sale beer and wine) for a proposed Arco AM/PM combination automobile service station and convenience store.

REMOVED AS NOTED

9:25 A.M.

[ID 24-1604](#) HEARING to obtain public comments regarding community needs for consideration in the development of the 2025-2029 Consolidated Plan, 2025-2026 Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and Citizen Participation Plan.

The above item was called to order at 11:19 A.M. and was presented to Council by Housing & Neighborhood Revitalization Manager Jenks and consultant Jessica Fish, Mosaic. Upon call, the following members of the public addressed Council: Brandi N., Dez Martinez, Paul Jestic, and Grace Simpson. Public comment closed at 11:37 A.M.

Council discussion included the possibility of renaming of the program.

APPROVED

On motion of Councilmember Chavez, seconded by Vice President Karbassi, that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

2. CONSENT CALENDAR

Upon call, for public comment on all Consent, Contested Consent and Closed Session items, the following members of the public addressed Council: Dez Martinez (2-M), Raul Picket (2-M), Rudy (2-M).

APPROVAL OF THE CONSENT CALENDAR

On motion of Vice President Arias, seconded by President Karbassi, the CONSENT CALENDAR was hereby adopted by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

- 2.-A. [ID 24-1559](#) ***RESOLUTION - Declaring the results of the Presidential General Election held within the City of Fresno on November 5, 2024. (Subject to Mayor's veto)

RESOLUTION 2024- 303 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-B. [ID 24-1585](#) RESOLUTION - Amending certain designated positions which shall be subject to the Conflict of Interest Code and defining categories of disclosures for such positions

RESOLUTION 2024-304 ADOPTED

SUCCESSOR AGENCY RESOLUTION SA-55 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-C. [ID 24-1650](#) Approval of City Council Meeting Schedule for Calendar Year 2025.

APPROVED ON CONSENT CALENDAR

- 2.-D. [ID 24-1665](#) ***RESOLUTION - Declaring a Vacancy in the Office of Councilmember for District 5; Calling a Special Election to be Held on March 18, 2025, to Fill the Vacancy; and Calling for a Potential Run-Off Election (Subject to Mayor's veto)

During approval of the agenda, City Clerk Stermer announced the second "whereas" statement in the resolution listed 2025 as the expiration year for the current D5 term of office. The year should be updated to reflect "2027" as the year the current term expires.

City Clerk Stermer also announced the following sentence would be added to the resolution immediately following numbered paragraph 5: "Pursuant to Fresno Municipal Code section 2-1005, the requirement to file in-lieu-filing-fee petitions fifteen days prior to the close of nomination period shall be reduced to three days prior to the close of nomination period for this special election only."

RESOLUTION 2024-299 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-E. [ID 24-1601](#) Actions pertaining to the expansion of the Code Enforcement Division in the City Attorney's Office:
***RESOLUTION - Adopt the Second Amendment to the Position Authorization Resolution ("PAR") No. 2024-121, adding one full-time Senior Community Revitalization Specialist, and one full-time Community Revitalization Specialist positions in the City Attorney's Office (Subject to Mayor's Veto)

RESOLUTION 2024-305 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-F. [ID 24-1666](#) Approve the appointment of Mohammad Shaikh, MD to the Active Transportation Advisory Committee to a term ending December 12, 2027. Approve the appointment of Ward Scheitrum to the Consolidated Mosquito Abatement District to a term ending December 31, 2028. Approve the appointments of Marisol Baca and Danielle Shapazian to the Poet Laureate Selection Committee to terms ending December 31, 2026. Approve the reappointments of Megan Bohigian, Honora Chapman, Bryan Harley, Heather Kuyper-McKeithen, and Jessica Giffen to the Poet Laureate Selection Committee to terms ending December 31, 2028.

For the record, the Ward Scheitrum is being re-appointed to the Consolidated Mosquito Abatement District as noted in the support material for this item. Also for the record, the support material to this item accurately reflects a term end date of December 31, 2028, for Marisol Baca and Danielle Shapzaian of the Poet Laureate Selection Committee.

APPROVED ON CONSENT CALENDAR

- 2.-G. [ID 24-1547](#) Award an equipment contract to Oshkosh Airport Products, a Division of Pierce Manufacturing, Inc., for the procurement of one Class 5, 3,000-gallon Aircraft Rescue and Firefighting Vehicle for Fresno Yosemite International Airport in the amount of \$1,421,363.47 (Council District 4)

APPROVED ON CONSENT CALENDAR

- 2.-H. [ID 24-1675](#) Approve the First Amendment to the Agreement with Lighthouse

for Children, Inc. allocating an additional \$75,375 in American Rescue Plan Act (ARPA) funding to support a partnership with the Dollywood Foundation implementing the Imagination Library program in the City of Fresno.

APPROVED ON CONSENT CALENDAR

- 2.-I. [ID 24-1652](#) Submission and Acceptance of the City of Fresno Clean and Safe Neighborhood Parks Tax (Measure P) Report for Fiscal Year 2024.

APPROVED ON CONSENT CALENDAR

- 2.-J. [ID 24-1662](#) Approve the First Amendment to the Consultant Agreement with Borrelli and Associates, Inc. expanding services to revise the emergency back-up generation system by \$24,300 for a total revised contract amount of \$214,100 for the Municipal Service Center Electrical Infrastructure and Rehab project and authorize the General Services Director or designee to execute all related documents (Council District 3)

APPROVED ON CONSENT CALENDAR

- 2.-K. [ID 24-1418](#) Actions pertaining to grant agreements between the City of Fresno and the Fresno Economic Opportunities Commission (FEOC)/Advance Peace:
1. Approve a Third Amendment to the American Rescue Plan Act (ARPA) Grant Agreement for the Violence Intervention and Prevention Initiative (VIPI) Year 1, dated February 21, 2023, to incorporate the Community Violence Intervention Vetting Policy requiring community violence intervention employee(s) and/or independent contractor(s) to go through a Live Scan background check, and to approve a no-cost revision to the scope of services to reallocate \$16,752.44 to salaries and benefits from the educational/skill development line item.
 2. Approve a First Amendment to the general fund Grant Agreement for the Violence Intervention and Prevention Initiative (VIPI) Year 2, dated June 26, 2024, to incorporate the Community Violence Intervention Vetting Policy requiring community violence intervention employee(s) and/or independent contractor(s) to go through a Live Scan background check.

3. Authorize the City Manager or designee to execute the agreements and all related documents on the behalf of the City of Fresno.

During approval of the Consent Calendar, Councilmember Karbassi reregistered a NO vote. As such, this item was approved 6-1 by the following vote:

Aye: 6 – Perea, Arias, Maxwell, Chavez, Bredefeld, Esparza

No: 1 – Karbassi

APPROVED ON CONSENT CALENDAR

- 2.-L. [ID 24-1668](#) ***RESOLUTION - Adopt the Eighth Amendment to the FY 2025 Salary Resolution No. 2024-120, amending Exhibit 8, Unit 8, Non-Represented to increase the salary range for impacted classifications in accordance with the increase in California minimum wage, effective January 1, 2025 (Subject to Mayor's Veto)

RESOLUTION 2024-306 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-M. [ID 24-1477](#) Actions related to the acquisition of 930-934 F St and 931-937 China Alley, APN 467-071-15 (Council District 3)
1. *** RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property; and authorizing the Planning and Development Director or designee to enter into and administer contracts for the demolition of dangerous structures, and removal of hazardous materials without advertised competitive bidding; and approve the following contracts: David Knott Incorporated for Demolition Services in an amount not to exceed \$490,000 and JSA Environmental Consulting for the Removal of Hazardous Materials in an amount not to exceed \$40,100; and authorize the Planning and Development Director to sign such contracts (Requires 5 affirmative votes) (Subject to Mayor's Veto)
 2. Adopt a finding of an In-fill exemption in accordance with Section 15332 of the California Environmental Quality Act (CEQA).
 3. Approve an Agreement for Purchase and Sale of Real

Property and Escrow Instructions with Central California Land Trust to acquire a fee interest in the real property situated at 930 -934 F Street and 931-937 China Alley, Fresno, California, identified as Assessor's Parcel Number 467-071-15 in the amount of \$51,055.73.

During approval of the Consent Calendar Councilmember Arias read the following statement:

This parcel has been posing a health and safety danger to the neighborhood, and to the city for several years now. It burned down several years ago in a significant fire. The city spent several hundred thousand dollars doing a partial demolition, and it took us years to figure out who the responsible party that controlled the property was. It turned out to be an organization that was no longer operational and functional so it took us several years to finally get to a position where we could demolish the rest of the building at an additional cost of half a million dollars. Thus far, the city would be in almost a million dollars to deal with the building that was neglected for decades and was in a place where the homeless were moving in and setting fires and putting the neighboring business at risk. From my perspective we've been extremely patient with the responsible parties of this building for at least 5 years. It's time for us to move forward with acquisition, demolition, and making that space available for housing, or other business activities. This is a parcel that's adjacent to Chef Paul's, of those of you who know Chinatown, and other active businesses, and it continues to pose a health and safety hazard as it is half demolished and has been for several years now. More importantly the basement of that old building is connected to the neighboring building, so if another fire occurs and the rest of the building falls on its own it's actually going to put at risk the neighboring historical buildings as well. That's why it's so expensive to demolish, and that's why it's important for us to finally do it in a very organized, thoughtful, and well-engineered way so not to put the rest of the buildings at risk that are historic and do have active businesses in them.

RESOLUTION 2024-300 ADOPTED

APPROVED ON CONSENT CALENDAR

2.-N. [ID 24-1551](#) Approve the Standard Agreement for Consultant and Cleanup

Services between the City of Fresno (City) and GHD Inc. for an amount not to exceed \$2,157,000, for Environmental Consultant and Cleanup Services for Project at 1457 H Street and a contingency amount not to exceed \$484,000, for any additional work, and authorize the City Manager, or designee, to sign the agreement on behalf of the City (Bid File 12500393) (Council District 3)

APPROVED ON CONSENT CALENDAR

- 2.-P. [ID 24-1569](#) Approve the Second Amendment to the Service Agreement with Poverello House (Poverello) for professional emergency shelter, bridge housing, street outreach and navigation services for individuals experiencing homelessness in the State Encampment areas. The second amendment will not increase the overall funding provided to Poverello. The second amendment will continue the current contract term till July 30, 2025, and provides Poverello a 25% advance payment of \$500,320.00, from the total Encampment Resolution Fund (ERF-3R) agreement of \$2,001,280.00.

APPROVED ON CONSENT CALENDAR

- 2.-Q. [ID 24-1630](#) Approve the Grant Funding Agreement between Fresno Council of Governments and the City of Fresno for expenses related to housing planning and Development Code streamlining, in an amount not to exceed \$146,230.

APPROVED ON CONSENT CALENDAR

- 2.-S. [ID 24-1654](#) ***RESOLUTION - Adopting the 583rd Amendment to the Master Fee Schedule Resolution No. 80-420 revising various Contract Law Enforcement Services, Regional Training Center Facilities, Public Safety False Alarm, and Witness Fees in the Police Department Section (Subject to Mayor's Veto)

RESOLUTION 2024-307 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-T. [ID 24-1608](#) Actions pertaining to the Paul "Cap" Caprioglio Community Center Remodel Project Bid File No. 12403201-1: (Council District 4)

1. Adopt a finding of Categorical Exemption from the California Environmental Quality Act (CEQA) per staff's determinations, pursuant to Section 15301/Class 1 of the California Environmental Quality Act Guidelines, Environmental Assessment No. PC00212, for the Paul "Cap" Caprioglio Community Center Remodel Project;
2. Award a construction contract in the amount of \$1,299,850.00 to MSH Development Group Inc., of Valencia, California, as the lowest responsive and responsible bidder for the Paul "Cap" Caprioglio Community Center Remodel Project.

APPROVED ON CONSENT CALENDAR

- 2.-U. [ID 24-1611](#) Approve the First Amendment to the Consultant Services Agreement with AECOM Technical Services, Inc. of Fresno, California, to extend the term of the Agreement to December 31, 2026, without changing the compensation of the Agreement, for the engineering design services for the Wellhead Treatment Improvements at Pump Station 101A Project. (Council District 7)

APPROVED ON CONSENT CALENDAR

- 2.-V. [ID 24-1612](#) Approve the First Amendment to Consultant Services Agreement with Provost & Pritchard Consulting Group, of Fresno, California, to extend the term of the contract to December 31, 2026, without changing the compensation of the Agreement, for the engineering design services for the Wellhead Treatment Improvements at Pump Station 102A Project. (Council District 5)

APPROVED ON CONSENT CALENDAR

- 2.-W. [ID 24-1670](#) ***BILL B-43 (Introduced December 5, 2024) (For Adoption) amending Chapter 15 of the Fresno Municipal Code, Sections 15-4907 and 15-5016, relating to modification authority for Conditional Use Permits (Subject to Mayor's Veto)

ORDINANCE 2024-043 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-X. [ID 24-1614](#) Approve the First Amendment to the Consultant Services Agreement with OMNI Design, Inc., of San Luis Obispo, California, to extend the term of the contract to December 31,

2026, without changing the compensation of the Agreement, for the Design of Materials Storage Buildings at the Fresno-Clovis Regional Wastewater Reclamation Facility Project. (Council District 3)

APPROVED ON CONSENT CALENDAR

- 2.-Y. [ID 24-1617](#) Approve the First Amendment to the Consultant Services Agreement with Michael K. Nunley & Associates, Inc., of Fresno, California, to extend the term of the contract to October 31, 2026, without changing the overall compensation of the Agreement, for the Design of Booster Pump Replacements at Pump Stations 89A, 133 and 150 and replace design work at Pump Station 133 with design work for Pump Station 176. (Council District 6)

APPROVED ON CONSENT CALENDAR

- 2.-Z. [ID 24-1619](#) Approve the First Amendment to the Consultant Services Agreement with Blair, Church, and Flynn Consulting Engineers, Inc., a California corporation of Clovis, to extend the term of the contract to December 31, 2026, without changing the compensation of the Agreement, for the Water Main Replacements in the area bound by Clinton, Teilman, University and West Avenues Project. (Council District 3)

APPROVED ON CONSENT CALENDAR

- 2.-AA. [ID 24-1615](#) Actions pertaining to the sale of remnant, undeveloped portions of land from the Veterans Boulevard Project: (Council District 2)
1. Adopt a finding that the sale of remnant, undeveloped portions of land from the Veterans Boulevard Project is exempt from California Environmental Quality Act (CEQA) pursuant to the "Common Sense Exemption," set forth in the California Environmental Quality Act Guidelines Section 15061(b)(3);
 2. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions between the City of Fresno and Abbey Transportation System, Inc., a California corporation, for the sale of remnant, undeveloped portions of land located adjacent to the Veterans Boulevard Interchange.

APPROVED ON CONSENT CALENDAR

- 2.-CC. [ID 24-1660](#) Approve the Second Amendment to Consultant Services Agreement with Michael K. Nunley & Associates, Inc., to extend the term of the agreement to December 30, 2025, for the Fresno-Clovis Regional Wastewater Reclamation Facility Bar Screen Optimization Study (Council District 3).

APPROVED ON CONSENT CALENDAR

- 2.-EE. [ID 24-1655](#) Approve a cooperative purchase agreement with Carahsoft Technology Corporation through June 30, 2027, for licensing OpenGov asset management software in the amount of \$425,094.55, and for one-time professional software implementation services in the amount of \$152,120.28, for a total contract amount of \$577,214.83. (Citywide)

APPROVED ON CONSENT CALENDAR

- 2.-FF. [ID 24-1667](#) Approve the Third Amendment to Consultant Services Agreement with Carollo Engineers, Inc., to extend the term of the agreement to December 31, 2026, for the preparation of a Nitrate Initial Assessment (Council Districts 3 and 6).

APPROVED ON CONSENT CALENDAR

- 2.-GG. [ID 24-1677](#) Approve the First Amendment to the Facility Relocation Cooperative Agreement between the City of Fresno and the California High-Speed Rail Authority. (Council Districts 1, 2, and 3)

During approval of the Consent Calendar, Councilmember Bredefeld reregistered a NO vote. As such, this item was approved 6-1 by the following vote:

Aye: 6 – Perea, Karbassi, Arias, Maxwell, Chavez, Esparza

No: 1 – Bredefeld

APPROVED ON CONSENT CALENDAR

- 2.-HH. [ID 24-1599](#) Approve the First Amendment to extend the term of the Master Dual Jurisdiction Cooperative Agreement between the County of Fresno and City of Fresno for the improvement, repair, or maintenance of roads and associated traffic signals, bridges, and facilities for 5 years to December 31, 2029. (Citywide)

APPROVED ON CONSENT CALENDAR

- 2.-II. [ID 24-1493](#) Actions pertaining to the California Air Resource Board (CARB) Sustainable Transportation Equity Project (STEP) Grant Program for Environmental Justice and Transportation Equity in West Fresno:
1. Affirm the City Manager's finding that Highway City Community Development, Inc.(HCCD), is uniquely qualified to perform services related to the City of Fresno's CARB STEP Grant;
 2. Approve a Services Agreement between the City of Fresno and Highway City Community Development, Inc. (HCCD), through April 30, 2028, in the total amount of \$120,000, to provide outreach and engagement services related to the City's CARB STEP Grant

APPROVED ON CONSENT CALENDAR

- 2.-JJ. [ID 24-1580](#) Approve the Memorandum of Understanding (MOU) between the City of Fresno, Department of Transportation/Fresno Area Express (FAX), and the Fresno Metro Black Chamber of Commerce (FMBCC) to support and recognize the partnership and collaboration on many transportation initiatives.

APPROVED ON CONSENT CALENDAR

- 2.-KK. [ID 24-1581](#) Approve the award of a cooperative purchase agreement to New Flyer of America Inc. for the purchase of four (4) 40' hydrogen fuel cell electric buses and required Technician training in the amount of \$6,728,116.40

APPROVED ON CONSENT CALENDAR

- 2.-LL. [ID 24-1582](#) Actions pertaining to the Department of Transportation Fresno Area Express (FAX) Bus Maintenance Facility Improvement project (Bid File No. 12500168):
1. Adopt Environment Assessment No. P24-1582, dated November 21, 2024, a determination that the proposed project qualifies for categorical exemption as set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15301/Class 1 and Section 15302/Class 2, of the State of California CEQA Guidelines.

- 2. Approve a construction contract in the amount of \$3,473,781 with RMS Construction, for construction services to implement the Department of Transportation Fresno Area Express (FAX) Bus Maintenance Facility Improvement project.
- 3. Authorize the City Manager or designee to sign and execute all related documents.

APPROVED ON CONSENT CALENDAR

- 2. [ID 24-1590](#) Approve the award of a cooperative purchase agreement to Gillig LLC. for the purchase of eleven (11) new, 40’ low floor compressed natural gas (CNG) buses in the amount of \$10,258,545.

-MM.

APPROVED ON CONSENT CALENDAR

- 2.-NN. [ID 24-1672](#) Approve the appointment of Matias G. Bernal to the Immigration and Resident Affairs Committee for a term which serves at the pleasure of the Councilmember

APPROVED ON CONSENT CALENDAR

- 2.-OO. [ID 24-1682](#) ***RESOLUTION - Directing the City Attorney to continue enforcement of local and state laws related to wage theft prosecutions and street vending enforcement without requesting the immigration status of street vendors or victims of crime (Subject to Mayor’s veto)

During approval of the Consent Calendar, Councilmember Bredefeld reregistered a NO vote. As such, this item was approved 6-1 by the following vote:

*Aye: 6 – Perea, Karbassi, Arias, Maxwell, Chavez, Esparza
No: 1 – Bredefeld*

RESOLUTION 2024-308 ADOPTED

APPROVED ON CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 2.-O. [ID 24-1557](#) Approve a Service Agreement with RH Community Builders to manage a Transitional Aged Youth (TAY) Rapid Rehousing

program offering 25-units serving youth ages 18 to 24, located at 1309 West Shaw Avenue (District 2), through June 30, 2026, in the total amount of \$1,149,508.39 funded with Homeless Housing, Assistance, and Prevention (HHAP) Youth Set-Aside Funds.

Councilmember Arias moved the above item to Contested Consent for clarification on the project.

Council discussion included: the background of the project; how the funding and purpose of the project has shifted; the financial sustainability and model for the project; operational success and community impact of the project; tenant management and safety protocols; and the need to balance addressing youth homelessness and community safety.

APPROVED

On motion of Vice President Karbassi, seconded by Councilmember Arias, that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

- 2.-R. [ID 24-1658](#) Approve an Interagency Agreement between the City of Fresno and the Department of Planning and Development in an amount not to exceed \$3,261,614 in State and Local Fiscal Recover Funds (SLFRF) part of the American Rescue Plan Act (ARPA).

Councilmember Arias moved the above item to Contested Consent to discuss amending the item.

Council discussion included: the initial interpretation as an agreement between the city and one department; identification of additional funding allocated to a third-party agency; bifurcation of the agenda item; and funding allocation to an external agency.

Councilmember Arias motioned to Approve the item with the following amendments:

- 1). \$1.2 million to remain for the renovation of Garage 9 for the Housing Division's office operations.

2). *The remainder of the funds to be allocated for the automation of parking garages in downtown Fresno for the purpose of future downtown residential housing purposes and projects.*

APPROVED AS AMENDED

On motion of Councilmember Arias, seconded by President Perea, that the above Action Item be APPROVED AS AMENDED. The motion carried by the following vote:

Aye: 4 - Perea, Arias, Maxwell and Esparza

No: 1 - Karbassi

Absent: 2 - Chavez and Bredefeld

- 2.-BB.** [ID 24-1649](#) Actions related to updating water conservation measures and the City's Water Shortage Contingency Plan (Citywide):
1. Adopt a finding that the proposed updates to the City's water conservation measures are exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption in that it can be seen with certainty that there is no possibility the proposed changes will have a significant effect on the environment pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines;
 2. BILL (for Introduction) - Amending Subsection (vv) of Section 6-501, Subsections (a) and (e) of Section 6-520, and Section 6-522 of the Fresno Municipal Code, relating to regulations for urban water conservation and water efficient landscape standards;
 3. ***RESOLUTION - Amending the Water Shortage Contingency Plan (Subject to Mayor's Veto);
 4. ***RESOLUTION - Adopting the 571st Amendment to the Master Fee Schedule Resolution No. 80-420 to update water rate penalties relating to conditions of service work in the Public Utilities Section (Subject to Mayor's Veto);
 5. ***RESOLUTION - Authorizing the issuance of fines for violations of the Fresno Municipal Code's water conservation regulations based on water meter data and rescinding Resolution No. 2018-253 (Subject to Mayor's Veto).

Councilmember Arias moved the above item to Contested Consent for

clarification on water fines for residential users.

Council discussion included: reinstating automatic water fines for residential users based on meter readings; exclusion of commercial users from current enforcement, with no clear timeline for inclusion; delays issuing courtesy notices via mail leading to multiple fines before residents are aware of violations; the need for instant real-time notification systems, such as text or app notifications; impacts on vulnerable populations, and financial strain on the elderly and those on fixed incomes; the importance of addressing equity in enforcement; the lack of differentiation between watering on the wrong day and exceeding water allocations.

TABLED

On motion of Councilmember Arias, seconded by Councilmember Maxwell, that the above Action Item be TABLED. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

- 2.-DD.** [ID 24-1651](#) Approve a three-year Consultant Services Agreement with Southwest Strategies Group for stakeholder engagement and public education support services for the Department of Public Utilities in the not to exceed amount of \$1,338,000.00. (Citywide)

Councilmembers Arias and Bredefeld moved the above item to Contested Consent, but announced their questions had been answered by staff. There was no council discussion.

APPROVED

On motion of Councilmember Bredefeld, seconded by Councilmember Arias, that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

- 2.-PP.** [ID 24-1693](#) RESOLUTION - Amending Rules 2 and 3 of the Council Rules of Procedure Relating to Elections and Duties of the Council President and Vice President

Councilmembers Arias and Karbassi moved the above item to Contested Consent for clarification of the changes.

Council discussion included: proposed changes to the rules; transitioning to a merit-based election system for President and Vice President starting January 2026; removal of term limits for President and Vice President, allowing second or subsequent terms if supported by votes; clarifying seniority rules based on the order of being sworn in, and removing the coin flip method; removing the provision for the President to appoint the Vice President; vice president will now be elected. Changes pertain only to president and vice president elections and seniority, with no impact on office space allocation. Explicit alignment on the timeline of implementation starting January 2026. Returning to a merit-based election system. Historical context and personal anecdotes on previous council operations and rule-making. Technical adjustments to the resolution to reflect agreed-upon changes.

Vice President Karbassi motioned to approve the item with the following amendments: Under section "2(a)" of numbered paragraph 1 of the resolution, remove strike through of and vice president and strike the bracketed portion. Under section "a(6)" of numbered paragraph 2 of the resolution, strike all changes under this section except the portion that clarifies seniority. Under section "b(3)" of numbered paragraph 2 of the resolution, strike all proposed changes. Entirely strike numbered paragraph 3 of the resolution. Council President Perea seconded the motion to approve as amended.

RESOLUTION 2024-309 ADOPTED

On motion of Vice President Karbassi, seconded by President Perea, that the above Action Item be ADOPTED AS AMENDED. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

3. GENERAL ADMINISTRATION

UNSCHEDULED COMMUNICATION

Upon call, the following people addressed Council with unscheduled communication: Jose Luis Barraza, Jose Leon Barraza.

4. CITY COUNCIL

4.-A. [ID 24-1685](#) WORKSHOP - Fresno County Property Owner's Protection Alert

The above item was presented to Council by Fresno County Assessor Paul Dictos.

There was no council discussion.

PRESENTED

5. CLOSED SESSION

During open session, City Attorney Janz announced each of the items that would be discussed in closed session.

Council withdrew to closed session at 2:43 P.M.

- 5.-A. [ID 24-1510](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6**
City Negotiators: Jennifer Misner; Sumeet Malhi
Employee Organization(s): 1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic), Unit 4; 4. International Association of Firefighters, Local 202, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management) Unit 10; 8. International Association of Firefighters, Local 202, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Fresno Airports Public Safety Officers Association (FAPSOA)

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-B. [ID 24-1681](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Tutelian & Company, Inc. v. City of Fresno; Case Number: 21CECG02805

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-C. [ID 24-1679](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
City of Fresno v. County of Fresno; Fresno Superior Court Case No.: 24CECG01199

The above item was removed from the agenda with no return date by the City Attorney.

TABLED

- 5.-D. [ID 24-1680](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
1 Community Compact v. City of Fresno; Fresno Superior Court Case No. 23CECG02740

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-E. [ID 24-1597](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 potential case

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-F. [ID 24-1674](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(2):
City of Fresno v. The Estate of Anthony Lambetecchio
(2686 N. Clovis Ave.; Code Enforcement case number E24-000293)

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-G. [ID 24-1683](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(2): 1 potential case

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-H. [ID 24-1684](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
1 potential case

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-I. [ID 24-1647](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.
Title: City Clerk
2. Government Code Section 54957.6: conference with labor negotiator. City Negotiator: Council President Annalisa Perea.
Unrepresented Employee: City Clerk

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

- 5.-J. [ID 24-1646](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.
Title: City Attorney
 2. Government Code Section 54957.6: conference with labor negotiator. City Negotiator: Council President Annalisa Perea.
Unrepresented Employee: City Attorney

The above item was discussed in closed session. There were no open session announcements for this item.

DISCUSSED

ADJOURNMENT

The Council meeting adjourned from closed session at 4:45 P.M.